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Attorney for KAREL SPIKES

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

KAREL SPIKES, Plaintiff, vs. LOU ARIAS dba LOU'S AUTOMOTIVE REPAIR and PARADISE CREEK HOLDING CORPORATION and DOES 1 THROUGH 10, Inclusive, Defendants.	Case No.:08 CV 0657 DMS (AJB) **JOINT MOTION FOR DISMISSAL** [F.R.Civ.P. Rule 41 (a)(1), (2)]

IT IS HEREBY STIPULATED by and between KAREL SPIKES, Plaintiff, on the one hand, and LOU ARIAS dba LOU'S AUTOMOTIVE REPAIR and PARADISE CREEK HOLDING CORPORATION, Defendants, on the other hand, (hereinafter "the Parties") through their respective attorneys of record that said Parties have agreed to resolve the case between them by way of settlement which was entered in to the court record, July 3, 2008.

The Parties further stipulate that Magistrate Judge Anthony J. Battaglia, or any other Magistrate Judge appointed by the Court, shall retain jurisdiction over all disputes between the Parties arising out of the Settlement Agreement including, but

not limited to, interpretation and enforcement of the terms of the Settlement Agreement. The terms of the Settlement Agreement are hereby incorporated in this Joint Motion for Dismissal.

The Parties further stipulate, pursuant to Federal Rules of Civil Procedure 41(a) (1,2), that this Court enter a dismissal of Plaintiff's Complaint in USDC Case No. 08 CV 0657 DMS (AJB) in its entirety and with prejudice. The Parties further stipulate that each shall bear its, his or her own costs and fees with respect to any claims they may have against each other in the instant action, except as otherwise set forth in the Settlement Agreement.

IT IS SO STIPULATED.

LAW OFFICES OF AMY B. VANDEVELD

DATED: 7/14/08

S/Amy B. Vandeveld
AMY B. VANDEVELD,
Attorney for Plaintiff
E-mail: abvusdc@hotmail.com

LAW OFFICES OF FRANK M. CLOWNEY

DATED: ______________

By: ______________________
FRANK M. CLOWNEY, Esq.
Attorney for Defendant
LOU ARIAS dba LOU'S AUTOMOTIVE

SMAHA LAW GROUP

DATED: ______________

By: ______________________
JOHN L. SMAHA, Esq.
Attorney for Defendant
PARADISE CREEK HOLDING CORPORATION

not limited to, interpretation and enforcement of the terms of the Settlement Agreement. The terms of the Settlement Agreement are hereby incorporated in this Joint Motion for Dismissal.

The Parties further stipulate, pursuant to Federal Rules of Civil Procedure 41(a) (1,2), that this Court enter a dismissal of Plaintiff's Complaint in USDC Case No. 08 CV 0657 DMS (AJB) in its entirety and with prejudice. The Parties further stipulate that each shall bear its, his or her own costs and fees with respect to any claims they may have against each other in the instant action, except as otherwise set forth in the Settlement Agreement.

IT IS SO STIPULATED.

LAW OFFICES OF AMY B. VANDEVELD

DATED: 7/14/08

S/Amy B. Vandeveld
AMY B. VANDEVELD,
Attorney for Plaintiff
E-mail: abvusdc@hotmail.com

LAW OFFICES OF FRANK M. CLOWNEY

DATED: 7-30-08

By: FRANK M. CLOWNEY, Esq.
Attorney for Defendant
LOU ARIAS dba LOU'S AUTOMOTIVE

SMAHA LAW GROUP

DATED: ______________

By: JOHN L. SMAHA, Esq.
Attorney for Defendant
PARADISE CREEK HOLDING CORPORATION

not limited to, interpretation and enforcement of the terms of the Settlement Agreement. The terms of the Settlement Agreement are hereby incorporated in this Joint Motion for Dismissal.

The Parties further stipulate, pursuant to Federal Rules of Civil Procedure 41(a) (1,2), that this Court enter a dismissal of Plaintiff's Complaint in USDC Case No. 08 CV 0657 DMS (AJB) in its entirety and with prejudice. The Parties further stipulate that each shall bear its, his or her own costs and fees with respect to any claims they may have against each other in the instant action, except as otherwise set forth in the Settlement Agreement.

IT IS SO STIPULATED.

LAW OFFICES OF AMY B. VANDEVELD

DATED: 7.14/08

S/Amy B. Vandeveld
AMY B. VANDEVELD,
Attorney for Plaintiff
E-mail: abvusdc@hotmail.com

LAW OFFICES OF FRANK M. CLOWNEY

DATED: ____________

By: ____________
FRANK M. CLOWNEY, Esq.
Attorney for Defendant
LOU ARIAS dba LOU'S AUTOMOTIVE

SMAHA LAW GROUP

DATED: 8/14/08

By: ____________
JOHN L. SMAHA, Esq.
Attorney for Defendant
PARADISE CREEK HOLDING CORPORATION